

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

XIAOJUN SUN et al.,

Plaintiffs,

v.

KRISTI NOEM et al.,¹

Defendants.

CASE NO. 2:25-cv-00057-LK

ORDER GRANTING STIPULATED
MOTION TO HOLD CASE IN
ABEYANCE

This matter comes before the Court on the parties' Stipulated Motion to Hold Case in Abeyance. Dkt. No. 6. Plaintiffs brought this litigation under the Administrative Procedure Act and Mandamus Act seeking to compel U.S. Citizenship and Immigration Services ("USCIS") "to promptly adjudicate Plaintiff Sun's pending I-730 Refugee Asylee Relative Petition and I-485 Adjustment of Status application." Dkt. No. 1 at 8. The parties now seek to hold this case in

¹ Pursuant to Federal Rule of Civil Procedure 25(d), the parties have substituted Department of Homeland Security Secretary Kristi Noem for Alejandro Mayorkas and U.S. Citizenship and Immigration Services Acting Director Jennifer B. Higgins for Ur M. Jaddou.

1 abeyance until June 23, 2025 because “[w]ith additional time, this case may be resolved without
2 the need of further judicial intervention.” Dkt. No. 6 at 2.

3 “[T]he power to stay proceedings is incidental to the power inherent in every court to
4 control the disposition of the causes on its docket with economy of time and effort for itself, for
5 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). The Court “may order
6 a stay of the action pursuant to its power to control its docket and calendar and to provide for a
7 just determination of the cases pending before it.” *Leyva v. Certified Grocers of Cal., Ltd.*, 593
8 F.2d 857, 864 (9th Cir. 1979). In considering whether to grant a stay, courts consider several
9 factors, including “the possible damage which may result,” “the hardship or inequity which a party
10 may suffer in being required to go forward,” and “the orderly course of justice[.]” *CMAX, Inc. v.*
11 *Hall*, 300 F.2d 265, 268 (9th Cir. 1962).

12 As noted, this case may be resolved without further judicial intervention. Dkt. No. 6 at 2.
13 As to the Form I-485, USCIS has requested additional evidence from Plaintiffs. Their deadline to
14 provide that evidence is April 24, 2025, after which USCIS will complete its adjudication of the
15 application. *Id.* As to the Form I-730, USCIS issued a notice of intent to deny the petition, and
16 Plaintiffs’ response to that notice is due by March 1, 2025. *Id.* A stay to allow this process to play
17 out will not cause any damage, nor any hardship or inequity to either party, and will promote the
18 orderly course of justice and preserve the parties’ and the Court’s resources.

19 The Court thus GRANTS the parties’ stipulated motion. Dkt. No. 6. This case will be held
20 in abeyance until June 23, 2025. The parties are ORDERED to submit a joint status report on or
21 before June 23, 2025.

22 Dated this 30th day of January, 2025.

23 
24 Lauren King
United States District Judge